

1 KAREN P. HEWITT  
United States Attorney  
2 CAROL M. LEE  
Assistant U.S. Attorney  
3 California State Bar No. 219246  
Federal Office Building  
4 880 Front Street, Room 6293  
San Diego, California 92101-8893  
5 Telephone: (619) 557-6235  
Facsimile: (619) 557-5004  
6 Email: carol.lee@usdoj.gov

7 Attorneys for U.S. Postal Service

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10 EVA SANDERS,

11  
12 Plaintiff,

13 vs.

14 UNITED STATES POSTAL SERVICE,  
15 Defendant.  
16

FILED  
2008 APR 18 PM 4:14  
CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY KWIK DEPUTY

17 '08 CV 0716 L POR  
Case No. \_\_\_\_\_

18 NOTICE OF REMOVAL OF CIVIL  
19 ACTION

20 Removed from Small Claims Court  
of California  
County of San Diego  
Case No.: 37-2008-00001091-SC-CTL

21 The United States of America, by and through the U.S. Postal Service, by its attorneys Karen P.  
22 Hewitt, United States Attorney, and Carol M. Lee, Assistant United States Attorney, hereby respectfully  
23 notices the removal of the above-captioned civil action from the Small Claims Court of California,  
24 County of San Diego. Removal is noticed upon the following grounds:

25 1. The U.S. Postal Service ("USPS") is named as a defendant in the above-captioned case,  
26 originally filed in Small Claims Court of California, County of San Diego, Case No.: 37-2008-  
27 00001091-SC-CTL. USPS received notification of the existence of this action on or about March 27,  
28 2008. Neither the United States Attorney nor the Attorney General has been served with the summons  
and complaint.

2. Removal of this case is appropriate under 28 U.S.C. §§ 1441, 1442, and 1446, because  
an agency of the United States is a defendant in the action. Section 1442(a)(1) provides for removal in  
cases commenced in a state court against the United States, its agencies and officers. Accordingly, this

ck

1 suit is properly subject to removal, without bond, under 28 U.S.C. § 1442(a)(1), since the action to be  
2 removed is pending in a state court located within this federal judicial district.

3 3. As a further basis for removal, it is also anticipated that the USPS may raise several  
4 defenses to the complaint, including but not limited to the following: (1) the United States' sovereign  
5 immunity as a defense to certain claims; (2) the failure of Plaintiff to exhaust her administrative  
6 remedies; and (3) the exception to the Federal Tort Claims Act for claims arising out of the loss,  
7 miscarriage, or negligent transmission of letters or postal matter pursuant to Title 28, United States  
8 Code, Section 2680(b).


9 4. A copy of the Plaintiff's Complaint is attached as Exhibit 1 and filed herewith in  
10 compliance with the provisions of 28 U.S.C. § 1446(a).

11 WHEREFORE, this action now pending in the Small Claims Court for the County of San Diego,  
12 State of California, is hereby properly removed therefrom to this Court.

13  
14 DATED: April 18, 2008

Respectfully submitted,

15 KAREN P. HEWITT  
16 United States Attorney

17   
18 CAROL M. LEE  
19 Assistant U.S. Attorney  
20  
21  
22  
23  
24  
25  
26  
27  
28

2008V00219

03/21/2008 08:01

05053-01

POSTMASTER

PAGE 01

SC-100

*1st. Court*

**Plaintiff's Claim and ORDER  
to Go to Small Claims Court**

**Notice to the person being sued:**

- You are the Defendant if your name is listed in ② on page 2 of this form. The person suing you is the Plaintiff, listed in ① on page 2.
- You and the Plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

**Aviso al Demandado:**

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierda el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lee este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

CALENDAR  
DOCKETS  
SECY

Check stamp date here when form is filed.

FILED MAR 19 2008

CLERK OF SUPERIOR COURT

Plaintiff's Name and street address:

Superior Court of California, County of  
San Diego  
3550 Clairemont Mesa Blvd.  
San Diego, CA 92117

Check the fit case number and case name.

Case Number  
07-2008-00001001-SC-SC-CTL

Case Name  
Gardens vs. U.S. Postal Service Legal

**Order to Go to Court**

The people in ① and ② must go to court on: (Clerk fills out section below.)

Trial Date	Date	Time	Department	Name and address of court if different from above
1.	05/02/2008	01:15:00 PM	KJ4-2	
2.				
3.	FILING FEE FOR CONTINUANCE MUST INCLUDE A \$15.00 FEE AND BE SUBMITTED AT LEAST 10 DAYS BEFORE TRIAL DATE			

Date: 02/21/2008 Clerk by: *A. Litman* Deputy

**Instructions for the person suing:**

- You are the Plaintiff. The person you are suing is the Defendant.
- Before you fill out this form, read Form SC-100, Information for the Plaintiff (Small Claims), to know your rights. Get SC-100 at any courthouse or county law library, or go to: [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms)
- Fill out pages 2 and 3 of this form. Then make copies of all pages of this form. (Make 1 copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each Defendant a court-stamped copy of all 3 pages of this form and any pages this form tells you to attach. There are special rules for "serving", or delivering, this form to public entities, associations, and some businesses. See Forms SC-104, SC-104B, and SC-104C.
- Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.

Small Claims at Court Info, www.courtinfo.ca.gov  
Rev. January 1, 2008, Mandatory form  
given to Plaintiff by Clerk of Court.

**Plaintiff's Claim and ORDER  
to Go to Small Claims Court  
(Small Claims)**

SC-100 Page 1 of 5

03/21/2008 09:01 85853 81

POSTMASTER

PAGE 02

Plaintiff (list names): Eva SandersCase Number  
77-2008-00001091-SC-SC-CTL

## ① The Plaintiff (the person, business, or public entity that is suing) is:

Name: Eva SandersPhone: 619-894-8878Street address: 5027 University Ave #9, San Diego, CA 92105

Street

City

State

Zip

Mailing address (if different):

Street

City

State

Zip

If more than one Plaintiff, list next Plaintiff here:

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Street address: \_\_\_\_\_

Street

City

State

Zip

Mailing address (if different):

Street

City

State

Zip

☐ Check here if more than 2 Plaintiffs and attach Form SC-100A.☐ Check here if either Plaintiff listed above is doing business under a fictitious name. If so, attach Form SC-103

## ② The Defendant (the person, business, or public entity being sued) is:

Name: U.S. Postal Services LegalPhone: 858-577-3555Street address: 10080 Willow Creek Road, San Diego, CA 92131

Street

City

State

Zip

Mailing address (if different):

Street

City

State

Zip

If more than one Defendant, list next Defendant here:

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Street address: \_\_\_\_\_

Street

City

State

Zip

Mailing address (if different):

Street

City

State

Zip

☐ Check here if more than 2 Defendants and attach Form SC-100A.☐ Check here if any Defendant is on active military duty, write his or her name here: \_\_\_\_\_③ The Plaintiff claims the Defendant owes \$ 500.00. (Explain below):a. Why does the Defendant owe the Plaintiff money? Paid for a deliver that was never mailed nor received by addressee nor Postal Services there but yet a print out in SD exist why.b. When did this happen? (Date): 12/07/2007

If no specific date, give the time period: Date started: \_\_\_\_\_ Through: \_\_\_\_\_

c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)

By time and their ignore of the complaint or claim

☐ Check here if you need more space. Attach one sheet of paper or Form MC-021 and write "SC-100, Item 3" at the top.

PAGE 03

37-2008-00001091-SC-SC-CTU

- מ' תס. עשרה/ב' תש"ח.

- This courthouse covers the area (check the one that applies):**

- Abstract**

DC-100, Page 8 of 8

83/21/2008 08:01

6595 381

FOE:MASTER

PAGE 04

**SC-100****Information for the Defendant (the person being sued)**

"Small claims court" is a special court where claims for \$5,000 or less are decided. A "natural person" (not a business or public entity) may claim up to \$7,500. The process is quick and cheap. The rules are simple and informal.

You are the Defendant — the person being sued. The person who is suing you is the Plaintiff.

**Do I need a lawyer?**

You may talk to a lawyer before or after the case. But you may not have a lawyer represent you in court (unless this is an appeal from a small claims case).

**How do I get ready for court?**

You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and any evidence that supports your case. And read "Get Ready for Court" at: [www.courtinfo.ca.gov/selfhelp/smallclaims/getready.htm](http://www.courtinfo.ca.gov/selfhelp/smallclaims/getready.htm)

**What if I need an accommodation?**

If you have a disability or are hearing impaired, fill out Form MC-410, *Request for Accommodations*. Give the form to your court clerk or the ADA/Access Coordinator.

**What if I don't speak English well?**

Bring an adult who is not a witness to interpret for you, or ask the court clerk for an interpreter at least five days before your court date. A court-provided interpreter may not be available or there may be a fee for using a court interpreter unless you qualify for a fee waiver. You may ask the court for a list of interpreters and also the *Application for Waiver of Court Fees and Costs* (form FW-501).

**Where can I get the court forms I need?**

Go to any courthouses or your county law library, or print forms at: [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms)

**What happens at the trial?**

The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

**What if I lose the case?**

If you lose, you can appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file Form SC-140, *Notice of Appeal*. You must file within 30 days after the judge's decision.
- If you were not at the trial, fill out and file Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File Form SC-140.

For more information on appeals, see:

[www.courtinfo.ca.gov/selfhelp/smallclaims/appeal.htm](http://www.courtinfo.ca.gov/selfhelp/smallclaims/appeal.htm)

Rev. January 1, 2008

**Do I have options?**

Yes. If you are being sued, you can:

- Settle your case before the trial. If you and the Plaintiff agree on how to settle the case, both of you must notify the court. Ask the Small Claims Advisor for help.
- Prove this is the wrong court. Send a letter to the court before your trial, explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done this.)
- Go to the trial and try to win your case. Bring witnesses, receipts, and any evidence you need to prove your case. To make sure the witnesses go to the trial, fill out Form SC-107 and the clerk will subpoena (order) them to go.
- Sue the person who is suing you. File Form SC-120, *Defendant's Claim*. There are strict filing deadlines you must follow.
- Agree with the Plaintiff's claim and pay the money. Or, if you can't pay the money now, go to your trial and say you want to make payments.
- Let the case "default." If you don't settle and do not go to the trial (default), the judge may give the Plaintiff what he or she is asking for plus court costs. If this happens, the Plaintiff can legally take your money, wages, and property to pay the judgment.

**What if I need more time?**

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial), or
- You did not get served (received this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county), or
- You need more time to get an interpreter. One postponement is allowed, and you will not have to pay a fee to delay the trial.

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out Form SC-110 (or write a letter) and mail it to the court and to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.

**Need help?**

Your county's Small Claims Advisor can help for free.

North: (619) 238-2471  
East Division: 250 East Main Street, Escondido, CA 92020  
Central Division: 8550 Charnock West Blvd., San Diego, CA 92123  
North Division: 323 S. Main Street, Vista, CA 92081  
South Division: 500 3rd Ave., Chula Vista, CA 91910

Go to "County-Specific Court Information" at:  
[www.courtinfo.ca.gov/selfhelp/smallclaims](http://www.courtinfo.ca.gov/selfhelp/smallclaims)

**Plaintiff's Claim and ORDER to Go to Small Claims Court  
(Small Claims)**

SC-100, Page 4 of 5

→



03/21/2008 08:01

25853 181

POSTMASTER

PAGE 09

**SC-100****Información para el demandado (la persona demandada)**

La "Corte de reclamos menores" es una corte especial donde se deciden casos por \$5,000 ó menos. Una "persona natural" (que no sea un negocio ni una entidad pública) puede reclamar hasta \$7,500. El proceso es rápido y barato. Las reglas son sencillas e informales. Usted es el Demandado — la persona que se está demandando. La persona que lo está demandando es el Demandante.

**¿Necesito un abogado?**

Puede hablar con un abogado antes o después del caso. Pero no puede tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

**¿Cómo me preparo para ir a la corte?**

No tiene que presentar ningunos papeles antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigo, testigos, y cualquier pruebas que apoyen su caso. Y Lea "Prepárese para la corte" en: [www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores/prepararse.htm](http://www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores/prepararse.htm)

**¿Qué tipo de necesidad una adaptación?**

Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MD-410, Request for Accommodations. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

**¿Qué pasa si no hablo bien inglés?**

Traga a un adulto que no sea testigo para que lo ayude de intérprete. O pida al secretario de la corte que le asigne uno. Si quiere que la corte le asigne un intérprete, lo tiene que pedir como mínimo menos cinco días antes de la fecha en que tenga que ir a la corte. Es posible que no haya disponible un intérprete proporcionado por la corte o que tenga que pagar una cuota por emplear un intérprete de la corte, a menos que tenga una extensión de cuotas. Puede pedir a la corte una lista de intérpretes y la Solicitud de extensión de cuotas y costos de la corte (formulario FW-001).

**¿Dónde puedo obtener los formularios de la corte que necesito?**

Vaya a cualquier edificio de la corte, la biblioteca legal de su condado o imprima los formularios en:

[www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms)

**¿Qué pasa en el juicio?**

El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

**¿Qué pasa si pierdo el caso?**

Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, Aviso de apelación. Tiene que presentarlo dentro de 30 días después de la decisión del juez.
- Si no estuvo en el juicio, llene y presente el formulario SC-135, Aviso de petición para anular el fallo y Declaración para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea: [www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores/apelar.htm](http://www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores/apelar.htm)

Rev. January 1, 2008

**¿Tengo otras opciones?**

Si. Si lo están demandando, puede:

- Resolver su caso antes del juicio. Si usted y el Demandante se ponen de acuerdo en resolver el caso, ambos tienen que notificar a la corte. Pídale al Asesor de Reclamos Menores que lo ayude.
- Protar que es la corte equivocada. Envíe una carta a la corte antes del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que desista al reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- Ir al juicio y tratar de ganar el caso. Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Para asegurarse que los testigos vayan al juicio, llene el formulario SC-107 y el secretario emitirá una orden de comparecencia ordenándoles que se presenten.
- Demandar a la persona que lo demandó. Presente el formulario SC-120, Reclamo del demandado. Hay fechas límite estrictas que debe seguir.
- Aceptar el reclamo del Demandante y pagar el dinero. O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos.
- No ir al juicio y aceptar el fallo por falta de comparecencia. Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

**¿Qué hago si necesito más tiempo?**

Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (Tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (5 20 días si vive fuera del condado), o
- Necesita más tiempo para conseguir intérprete. (Se permitirá un solo aplazamiento sin tener que pagar cuota para aplazar el juicio).

Pregúntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-110 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una extensión.



**¿Necesita ayuda? El Asesor de Reclamos Menores de su condado le puede ayudar en cargo:**

Modena: (916) 236-2471  
 East Bay: 280 East Main Street, El Cerrito, CA 94601  
 North Bay: 6900 Government Center Blvd., San Diego, CA 92123  
 North Bay: 2800 Northpointe Center, Ukiah, CA 95568  
 South Bay: 600 3rd Ave., Costa Mesa, CA 92626

O vea "Ir formación por condado" en:

[www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores](http://www.courtinfo.ca.gov/selfhelp/espanol/reclamosmenores)

**Reclamo del Demandante y ORDEN  
 Para ir a la Corte de Reclamos Menores  
 (Reclamos Menores)**

SC-100, Page 6 of 8

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

EVA SANDERS,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE,

Defendant.

Case No. \_\_\_\_\_

CERTIFICATE OF SERVICE  
BY U.S. MAIL

IT IS HEREBY CERTIFIED that:

I, Jill H. Brinton, am a citizen of the United States over the age of 18 years and a resident of San Diego County, California; my business address is 880 Front Street, San Diego, California 92101-8893; I am not a party to the above-entitled action; and

On **April 18, 2008** I have made the below documents available for pick-up at San Diego, California, in the above-entitled action, the following:

**Notice of Removal of Civil Action from Superior Court to Federal Court**

addressed to the attorney of record,

**Eva Sanders, Pro Se  
5027 University Avenue, #9  
San Diego, CA 92105**

at the last known address.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day of **April 18, 2008**.

  
Jill H. Brinton



JS44

(Rev. 07/89)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I (a) PLAINTIFFS

Eva Sanders

## DEFENDANTS

United States Postal Service

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

San Diego

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

CAROL M. LEE  
880 FRONT STREET, ROOM 6293  
SAN DIEGO, CA 92101-8893  
(619) 557-6235

08 CV 0716 L POR

## II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

☒ U.S. Government Plaintiff

☒ Federal Question  
(U.S. Government Not a Party)

☒ U.S. Government

☐ Diversity (Indicate  
Citizenship of Parties in Item  
III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PT	DEF		PT	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Incorporated or Principal Place of Business in This	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	Incorporated and Principal Place of Business in Another	<input type="checkbox"/>	<input type="checkbox"/>
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	Foreign Nation	<input type="checkbox"/>	<input type="checkbox"/>

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

## Removal to Federal Court

## V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Medical Malpractice	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reappointment
<input type="checkbox"/> Marine	<input type="checkbox"/> 315 Airplane Product	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> Miller Act	<input type="checkbox"/> 320 Assault, Libel & Liability	<input type="checkbox"/> 368 Asbestos Personal Product Liability	<input type="checkbox"/> 625 Drug Related of Property 21 USC881	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce/ICC
<input type="checkbox"/> 150 Recovery of Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 640 RR & Truck	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> SOCIAL SECURITY	<input type="checkbox"/> 470 Racketeer Influenced Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 660 Occupational	<input type="checkbox"/> 861 HIA (13958)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of of Veterans Benefits	<input type="checkbox"/> 355 Motor Vehicle Liability		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Exchange
<input type="checkbox"/> 160 Stockholders Suits	<input type="checkbox"/> 360 Other Personal		<input type="checkbox"/> LABOR	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 875 Customer Challenge
<input checked="" type="checkbox"/> Other Contract			<input type="checkbox"/> 710 Fair Labor Standards	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product			<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 892 Economic
			<input type="checkbox"/> 730 Labor/Mgmt. Disclosure Act	<input type="checkbox"/> FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental
			<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 870 Taxes (U.S. or Defendant)	<input type="checkbox"/> 894 Energy Allocation
			<input type="checkbox"/> 790 Other Labor	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 895 Freedom of
			<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act		<input type="checkbox"/> 900 Appeal of Fee Under Equal Access to
					<input type="checkbox"/> 950 Constitutionality of
					<input checked="" type="checkbox"/> 890 Other Statutory

## VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

☐ 1 Original Proceeding ☒ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☒ NO

VIII. RELATED CASE(S) IF ANY (See

JUDGE

Docket Number

DATE

4/18/08

SIGNATURE OF ATTORNEY OF RECORD

CAROL M. LEE, AUSA